

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94723

Zoubair Mohammed CHERKAOUI, et al.

Appln. No.: 10/581,716

Group Art Unit: 1795

Confirmation No.: 8574

Examiner: Shean Chiu WU

Filed: June 5, 2006

For: ADDITIVE COMPONENTS FOR LIQUID CRYSTALLINE MATERIALS

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated December 2, 2009. A Preliminary Amendment is being submitted concurrently herewith.

Election of Species Requirement

On page 2 of the Office Action, the Examiner indicates that the application contains claims directed to more than one species of the generic invention, as follows: a mesogenic mixture (claims 1-20) or a chiral or achiral rod shape compound (claims 21-35) and polymer used in optical or electro-optical components (claims 36-44), and the Examiner requires Applicants to elect a single specific species (compound or mixture) including the notations (variables) used in the formulae.

In response, Applicants elects claims 1-20 and claims 36-44, since it appears from the Office Action that claims 36-44 are grouped with each of claims 1-20 and claims 21-35. To the extent that such is not the case, Applicants traverse on the basis that claims 36-44 concerning the use of the polymeric mesogenic mixtures of claims 1-20 fulfill a common inventive concept. The “mesogenic, cross-linkable mixture” referred to in claim 1 is an intermediate compound which leads to the final structure, the polymer, especially the polymer film networks of claims 36-44.

Further, to satisfy the Examiner’s requirement for the election of a single specific species (compound or mixture) including the notations (variables) used in the formulae, Applicants elect Additive No. 1 on page 41.

Applicants submit that all of the claims read on Additive No. 1.

“Use” Claims

On page 3 of the Office Action, the Examiner notes that claims 36, 39-41, and 43 are “use” claims, which are improper in U.S. practice.

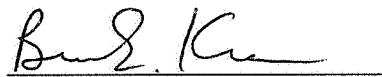
In response, Applicants have amended claims 36, 39-41, and 43 in the Preliminary Amendment submitted herewith to change them from “use” claims to “method” claims having a “preparing” or “manufacturing” active, positive step. Accordingly, Applicants submit that the issue raised by the Examiner in this regard has been resolved.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: February 2, 2009